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Date: January 18, 2005

Fax number: 703-872-9306

To: Examiner Craig Curtis

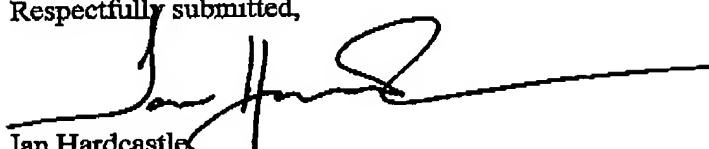
Total pages: 2

From: Ian Hardcastle

Subject: US Patent Application 10/071,356
Attorney Docket: 10020341-1
Filed: February 8, 2002

Enclosed is the a Notice of Appeal in response to the Office Action dated September 22, 2004.

Respectfully submitted,


Ian Hardcastle
Reg. No. 34,075

NOTICE

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AGILENT TECHNOLOGIES, INC.
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ATTORNEY DOCKET NO. 10010648-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Rene P Helbing

Serial No.: 10/071358

Examiner: Craig Curtis

Filing Date: February 8, 2002

Group Art Unit: 2872

Title: Optical Signal Control Device And Method For Utilizing Same

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COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, Sept. 22, 2004, rejecting the following claims 2-20, 22-28, and 30-33.

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☒ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

<input checked="" type="checkbox"/>	one month	\$ 120.00
<input type="checkbox"/>	two months	\$ 450.00
<input type="checkbox"/>	three months	\$1020.00
<input type="checkbox"/>	four months	\$1590.00

☐ The extension fee has already been filled in this application.

☐ (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 50-1078 the sum of \$620.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit:

OR

☒ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile: January 18, 2005

Typed Name: Linda A. Ilmura

Signature: Linda A. Ilmura

Respectfully submitted,

Rene P Helbing

By

Ian Hardcastle
Attorney/Agent for Applicant(s)

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Date: January 18, 2005

Telephone No. 650 485 3015